



Development Services Department

October 28, 2010

Hernandez Tire Shop
Attn: Agustin Hernandez
3236 Main Street
Chula Vista, CA. 91911

Subject: DRC-09-39, 3236 Main Street, APN 623-202-17 and 18

Dear Mr. Hernandez:

On October 28, 2010, the Zoning Administrator considered and approved the above referenced application. Attached please find the Notice of Decision documenting the Zoning Administrator's action and listing the conditions of approval. Please note Condition I 1 that requires you to sign and return one copy of the notice to acknowledge your acceptance of the conditions of approval

You have the right to appeal any conditions of approval to the City Council. This office must receive a completed appeal form, along with a deposit amount of \$7,004.00 within 10 days of the date of this letter. Forms are available from the Development Services Department. In the absence of said appeal, the decision of the Zoning Administrator is final.

If you have any questions or concerns about this matter, please call me at (619) 409-5883.

Sincerely,

Caroline Young
Planning Division
Assistant Planner

Attachment: Notice of Decision

cc: Zoning Administrator
Juan Quemado (e-mail)



ZONING ADMINISTRATOR
NOTICE OF DECISION

Date: October 28, 2010
Applicant: Hernandez Tire Shop/Agustin Hernandez
Case No.: DRC-09-39
Address: 3236 Main Street
Project Planner: Caroline Young

Notice is hereby given that on October 28, 2010, the Zoning Administrator considered Design Review Permit (DRC) application DRC-09-39, filed by Hernandez Tire Shop/Agustin Hernandez ("Applicant"). The Applicant requests a DRC to construct a two-story 6,387 square foot building consisting of tire storage, seven (7) service bays, and associated office space. The Project is located at 3236 Main Street ("Project Site") and is owned by AMHILLC ("Property Owner"). The Project Site is zoned limited Industrial (ILP) with a General Plan designation of Limited Industrial (IL). The Project is more specifically described as follows:

The Project includes a new two-story 6,387 square foot building consisting of tire storage, seven (7) service bays, and associated office space to replace the existing buildings currently on the site. The proposed building will be located along the northwesternly property lines with the associated parking, landscaping, and other site improvements located on the remainder of the lot. Site improvements include twenty (20) parking spaces, enhanced landscaping, trash enclosure, and removal of the pole sign. The site will consist of two driveways with stamped concrete pavers provided at each entrance. A 20-ft landscape area and bio retention pond will be located at the front of the entrance consisting of trees, shrubs, and ground cover. Landscape planters and benches will be provided under an open canopy area within the outdoor waiting area at the front entrance of the building for the customers. All of the existing buildings on the site will be demolished in phases of development as to not interfere with the current operation of the tire shop.

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that the proposed project qualifies for a Class 32 categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus no further environmental review is necessary.

The proposed project is consistent with the development regulations of the Chula Vista Municipal Code, Design Manual, and Landscape Manual. The Zoning Administrator, under the provisions of Section 19.14.582.G of the Chula Vista Municipal Code, has conditionally approved the project subject to the following conditions:

- I. The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:

Development Services Department:

1. Prior to approval by the City of Chula Vista for the use of the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall execute this document by making a true copy of this letter of conditional approval and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner

Date

2. Prior to, or in conjunction with the issuance of the first building permit, pay all applicable fees, including any unpaid balances of permit processing fees for deposit account DQ-1598.
3. Prior to any demolition activities, a licensed and registered asbestos and lead abatement contractor shall perform asbestos and lead-based paint abatement in accordance to all applicable local, state and federal laws and regulations, including San Diego County Air Pollution Control District Rule 361 145 - Standard for Demolition and Renovation.
4. The Applicant shall obtain a Demolition Permit with Hazardous Materials approval in order to demolish the existing building
5. The Applicant shall provide a demolition and phasing plan showing all structures to be removed.

6. The existing pole sign shall be removed and replaced with a monument sign or wall sign prior to the final building permit inspection. The Applicant shall obtain approval of a sign permit for each sign from the Development Services Department. Signs shall comply with the provisions of Section 19.60 of the Chula Vista Municipal Code.
7. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board approved by the Zoning Administrator on October 28, 2010.
8. A graffiti resistant treatment shall be specified for all wall and building surfaces, and noted on any building and wall plans. Additionally, the project shall conform to Chula Vista Municipal Code Section 9.20.055 regarding graffiti control. The applicant shall remove all graffiti on a regular basis.
9. Any ground-mounted equipment shall be screened with a combination of landscaping, walls or berms. Ground-mounted equipment shall include any heating, air conditioning, utility boxes, and backflow valves that will not be constructed within utility enclosures.
10. All ground mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the Director of Development Services.
11. All exterior lighting shall include shielding to remove any glare from adjacent residents. Details for said lighting shall be included on the architectural plans of the building permit.

Engineering Developments Services/Landscape Architecture:

12. A landscape and irrigation plan, shall be prepared by a landscape architect, and submitted for review and approval prior to issuance of building permits
13. The building permit plans shall provide a 6-inch or 12-inch curb around all landscaped areas in front of the building and off Main Street.
14. The following fees will be required based on the final Building Plans submitted per the Master Fee Schedule:
 - a. Sewer Capacity Fee
 - b. Traffic Signal Fee
 - c. Development Impact Fees

15. The Applicant shall obtain a construction permit from the Permits Division to perform all work within the City's right-of-way to the satisfaction of the City Engineer, including, but not limited to:
 - a. If the existing sewer lateral is vitrified clay pipe, then regardless of its condition, it shall be replaced for PVC.
 - b. Connection to the storm drain system.
16. The Applicant shall apply for a Tentative Parcel Map Waiver and a Parcel Map to consolidate the two lots and to dedicate 12 foot right-of-way to the City. The Parcel Map shall be recorded before the issuance of a building permit. In lieu of a Parcel Map, the Applicant can process a lot consolidation plat and dedicate the needed right-of-way to the City with separate instruments.
17. Per Section 12.24.040 of the Chula Vista Municipal Code and Council Policy No. 563-02, the Applicant is required to construct street improvements that include, but are not limited to: curb & gutter; 8 ft sidewalk; the installation of a 120W HPSV street light on the easterly side of the property fronting Main Street; driveways; asphalt & base in street; and alley improvements along the back of the property. Since the required improvements are incompatible with current development in the area, street improvements may be deferred. The Applicant will however, be required to enter into an Agreement with the City to not protest the formation of an assessment district, or similar proceeding to install said improvements in conjunction with the deferral process.
18. The Applicant shall submit grading plans per the City of Chula Vista Subdivision Manual. Approval of plans will need to take place before the issuance of a building permit, since pad certification is a prerequisite of the building permit.
19. The Applicant shall submit a final Water Quality Technical Report during the 1st plan check of the grading permit.

Conservation and Environmental Division:

20. The Applicant shall develop and submit a "Recycling and Solid Waste Management Plan" to the Conservation Coordinator for review and approval. The plan shall demonstrate those steps the applicant will take to comply with the Municipal Code, including but not limited to Section 8.24, 8.25, and 19.58.340 and meet the State mandate to reduce or divert at least 50% of the waste generated by all residential, commercial and industrial developments. The Applicant shall contract with the City's franchise hauler throughout the construction and occupancy phase of the project. The "Recycling and Solid Waste Management Plan" features should be identified on the building plans.

21. The Applicant shall prepare a Construction/Demolition Waste Management Plan. The plan shall indicate the steps taken up until occupancy of the building. A performance deposit will be required to be submitted prior to building permit approval.

Fire Department

22. The project will require a fire flow of 2,500 gallons per minute for a 2-hour duration (at 20psi).
23. The Applicant shall provide a water flow letter from the applicable water agency having jurisdiction indicating that the above-mentioned fire flow is available to serve the project.
24. Fire Hydrants shall be located no greater than 300 feet. The building plans shall show the closest hydrant on the plan and provide a new fire hydrant at the entrance to the building. The FDC and PIV will need to be placed by the hydrant.
25. Building shall be provided with two Knox appliances.
- Provide a Knox Vault at the main entrance to the building
 - Provide a Knox Box at the Fire Control Room
26. The building shall be addressed in accordance with the following criteria:
- 0 - 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - 51 - 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
 - 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke
27. The project shall be protected throughout by an approved automatic fire sprinkler system (NFPA 13, System). A separate submittal, to the Fire Department, will be required for the sprinkler system.
28. The fire control room shall meet the City of Chula Vista Fire Department standard
29. Fire sprinkler density shall be determined based upon fuel load. The building plans shall show the areas of tire storage, amounts being stored, and how they will be stored (stacked or in racks), and height or amount of tires to be stored. The Applicant shall provide a cut sheet of the rack and the quantities to be stored.
30. The Applicant shall provide fire extinguishers on the site and show their locations on the building permit. The travel distance shall not exceed 75 feet.

31. This project shall be protected throughout by an approved fire alarm system (fire flow monitoring).
32. The Applicant shall obtain a permit from the Fire Department for a repair garage.
33. The building plans shall show the areas and amounts of flammable and combustible liquids that will be stored on site.

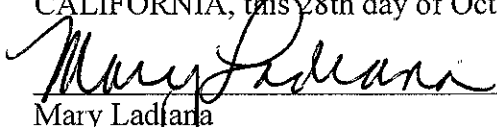
II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-09-39, date stamped on August 26, 2010, which include site plan and architectural elevations on file in the Development Planning Division, the conditions contained herein, and Title 19.
2. All landscaping and hardscape improvements shall be installed and maintained in accordance with the approved landscape plan.
3. All assembly and installation work shall be conducted entirely within an enclosed building. No structures, tools, or other devices associated with the assembly and installation operations shall be stored or otherwise located outside of the building.
4. Vehicles waiting for repair shall not be stored outside for more than five (5) working days on the property.
5. The subject property shall comply with the City's Municipal Code Noise Ordinance, CVMC 19.68. If on review the City finds that the site does not meet the Municipal Code noise standards, the City may revoke or modify the permit.
6. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
7. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is

an express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns.

8. This Design Review Permit shall become void and ineffective if not utilized within thirty-six (36) months from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code, unless an extension application is submitted within 30-days of the expiration date of October 28, 2013.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 28th day of October 2010.



Mary Ladana
Zoning Administrator